

Holme Roberts & Owen LLP

US EPA RECORDS CENTER REGION 5



413963

September 19, 2000

VIA FACSIMILE 312/886-7160

Ms. Carol Ropski
U.S. Environmental Protection Agency
Region 5 SE-5J
Emergency Enforcement and Support Section
77 West Jackson Blvd.
Chicago, IL 60604-3590

Kenneth W. Lund
(303)866-0109
lundk@hro.com

Re: Western Mineral Products Site

Dear Ms. Ropski:

Attorneys at Law

1700 Lincoln Street
Suite 4100
Denver, Colorado
80203-4541
Tel (303)861-7000
Fax (303)866-0200
www.hrn.com

Denver
Salt Lake City
Boulder
Colorado Springs
London

This letter is written in response to the September 14, 2000 letter from Region 5 to W.R. Grace regarding EPA's additional investigation and cleanup activities at residential properties near the Western Mineral Products site in Minneapolis, Minnesota. Grace is interested in pursuing discussions with Region 5 regarding an appropriate administrative consent order under which Grace would perform or finance such a response. Please contact Grace in-house legal counsel David Cleary at 561-362-2825 to discuss options for reaching agreement on an administrative consent order.

Grace is presently working with the Minnesota Pollution Control Agency regarding cleanup of the former vermiculite expanding plant. Grace has also provided information requested by the MPCA, Region 5 and the Minnesota Attorney General's Office/Department of Health. Grace is not presently working with the MPCA or any other agencies regarding the residential properties.

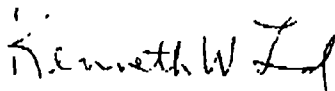
By our willingness to negotiate in good faith with Region 5 to address EPA's concerns, Grace is not admitting that it is a responsible party for the residential properties or that the cleanup activities outlined in EPA's September 14, 2000

Holme Roberts & Owen LLP

Ms. Ropski
September 19, 2000
Page 2

letter are necessary and appropriate under CERCLA. However, Grace is genuinely interested in meeting with Region 5 to discuss the matter further.

Very truly yours,



Kenneth W. Lund

KWL:cg

cc: David Cleary, W.R. Grace
Robert R. Marriam, W.R. Grace

SE-ST**Holme Roberts & Owen LLP***Attorneys at Law**1700 Lincoln Street
Suite 4100
Denver, CO 80203**Tel (303) 861-7000
Fax (303) 866-0200***FACSIMILE COVER SHEET FROM FACSIMILE NUMBER: (303)866-0200**

Date: September 19, 2000 **Time:** _____
To: U.S. Environmental Protection Agency
Attention: Carol Ropski
Facsimile No.: 312/886-7160
Verification No.: 312/886-0747
Client No.: 04339-00300
From: Kenneth W. Lund **ATTY #:** 0427
Message:

3 51

Number of pages following this cover sheet 2

If you need a confirmation or any of the pages sent again, please call our offices at the following number: Copy Center, (303)866-0362. If you do not call within 15 minutes, we will assume you have received the pages satisfactorily. TELECOPIER: canon 1-770 SENT BY: GA

SECRETARY: Cheryl Graham; EXT.: 373; FLOOR: 44

CONFIDENTIALITY NOTE: The information contained in this facsimile transmittal sheet and document(s) that follow are for the exclusive use of the addressee and may contain confidential, privileged and nondisclosable information. If the recipient of this facsimile is not the addressee, or a person responsible for delivering this facsimile to the addressee, such recipient is strictly prohibited from reading, photocopying, distributing or otherwise using this facsimile transmission, or its contents, in any way. If the recipient has received this facsimile transmission in error, please call us immediately and return the facsimile transmission to us via the United States Postal Service. Thank you.

Offices in: Denver Salt Lake City Boulder Colorado Springs London